

LITTLE SILVER PLANNING BOARD
BOROUGH OF LITTLE SILVER
480 PROSPECT AVENUE
LITTLE SILVER, NEW JERSEY 07739
(732) 842-2400

Thursday, January 7, 2016

7 P.M

Organization and Regular Meeting - Planning Board

The Organization and Regular Meeting was called to order at 7 P.M. by Vice Chairman Scott who gave the following Statement of Compliance: Adequate notice of this meeting has been provided by giving of annual notice to the Asbury Park Press and Two River Times and by filing of such notice with the Clerk of the Borough of Little Silver and by prominently posting said notice on the Borough bulletin board.

Roll Call: Present: Mayor Neff, Vice-Chairman Scott, Mr. Chimento, Mr. Perfetto,
Mrs. Hough, Mrs. Jungfer, Mr. Holzapfel, Attorney Leckstein,
And Greg Blash, Borough Engineer

Absent: Councilman Galante, Chairman Jacobi, Mrs. Smith and Mr. Orlando

Organization: Vice-Chairman Scott yielded the Chair to Attorney Leckstein who called for nominations for Chairman.

Motion to Nominate K. Edward Jacobi as Chairman: Mr. Scott
Second: Mr. Chimento

Attorney Leckstein called for other nominations. There were none.

The nominations were closed and a unanimous voice vote followed.

Motion to Nominate Richard Scott as Vice Chairman: Mr. Chimento
Second: Mrs. Hough

Attorney Leckstein called for other nominations. There were none.

The nominations were closed and a unanimous voice vote followed.

Vice-Chairman Scott resumed the Chair.

Vice-Chairman Scott called for nominations for Secretary.

Motion to Nominate Colleen Mayer as Secretary: Mrs. Jungfer
Second: Mr. Holzapfel

Vice Chairman Scott called for other nominations. There were none.

The nominations were closed.

Vice Chairman Scott then called for a Roll Call on the nomination.

Affirmative: Mayor Neff, Mr. Scott, Mr. Chimento, Mr. Perfetto, Mrs. Hough, Mrs. Jungfer and
Mr. Holzapfel

Negative: None

Abstentions: None

Vice Chairman Scott called for a Motion to appoint a Board Attorney.

Motion to Nominate Michael R. Leckstein, Esquire of Leckstein and Leckstein, Esquires as Planning Board Attorney: Mrs. Hough
Second: Mr. Holzapfel

Vice Chairman Scott called for other nominations. There were none.

Vice Chairman Scott then called for a Roll Call on the nomination.

Affirmative: Mayor Neff, Mr. Chimento, Mr. Perfetto, Mrs. Hough, Mrs. Jungfer and Mr. Holzapfel

Negative: None

Abstentions: None

Attorney Leckstein thanked the Board for the appointment noting that he has served for 43 years.

Vice Chairman Scott called for a Motion to appoint a Board Engineer.

Motion to Nominate Gregory S. Blash, P.E., P.P. of Leon S. Avakian, Inc. as Planning Board Engineer:
Mr. Holzapfel
Second: Mayor Neff

Vice Chairman Scott called for other nominations. There were none.

Vice Chairman Scott then called for a Roll Call on the nomination.

Affirmative: Mayor Neff, Mr. Scott, Mr. Chimento, Mr. Perfetto, Mrs. Hough, Mrs. Jungfer
and Mr. Holzapfel

Negative: None

Abstentions: None

A motion was made by Mr. Chimento and seconded by Mr. Holzapfel to approve the minutes of the December 17, 2015 meeting.

A unanimous voice vote followed.

A motion was made by Mr. Holzapfel to carry **New York SMSA Limited d/b/a Verizon Wireless 492-500 Prospect Avenue Block 37, Lot 13** to the February 4, 2016 meeting with no further noticing being required and seconded by Mr. Chimento.

A unanimous voice vote followed.

Vice Chairman Scott announced that the following applications have requested to be carried and will re notice for the meeting that they will be attending.

Harmesh Verma, 23 Middlebrook Drive Ocean Township, New Jersey seeking permission to construct a single family dwelling on the property at **Birch Avenue and Maple Avenue, Block 55, Lots 11 & 33, in the R-3 Zone.**
With new noticing being required

John and Sharon Hawthorn 579 Seven Bridges Road, Block 61, Lot 34, in the R-1 Zone and AE8 Flood Zone is seeking permission to construct a detached 38' x 46' garage and a 18' x 38' in-ground swimming pool. The minimum required lot area is 60,000 square feet where 45,568 square feet is existing. The minimum required improved road frontage is 160 feet where 150 feet is existing. The minimum side yard setback for the principal building is 32 feet for a building and/or structure height of 25 feet and not exceeding 1 ½ stories. Where 30 feet side yard setback is being proposed The maximum building height is 16 feet for any free standing accessory building, where 25 feet is being proposed. No building, structure, improvement and/or development which increases the footprint of any existing structure or building or which enlarges the ground area of development currently existing on the subject property or which is new development shall be permitted in the Coastal Flood Zone where improvements and fill below the five foot contour is proposed.-
With new noticing being required.

A motion was made by Mr. Holzapfel and seconded by Mr. Chimento to carry those two applications with NEW Noticing being required.

Affirmative: Mayor Neff, Mr. Scott, Mr. Chimento, Mr. Perfetto, Mrs. Hough, Mrs. Jungfer and Mr. Holzapfel

Negative: None

Abstentions: None

Steven Raia, 30 Alwin Terrace Block 83, Lot 10 in the R-2 Zone and AE8 Flood Zone is seeking permission to demolish existing dwelling and construct a new 5,717 square foot dwelling on a crawl space. The minimum required lot area is 25,000 square feet where 20,498 square feet is existing and proposed.

Attorney Leckstein stated that his review of service found it in order and that the Board had jurisdiction over this application.

Mr. Chimento noted that the agenda showed that the dwelling being proposed is 5, 717 square feet when the plans show 3, 689 square feet.

Mr. Blash stated that the applicate had reduced the size of the plan in order to remove the need for a Floor Area Ratio variance.

Attorney Leckstein stated that there is no longer a FAR (use) variance and the only variance is for an undersized lot.

Jeffrey Rosen, Attorney with an office located at 788 Shrewsbury Avenue Suite 2207 Tinton Falls, NJ will present the application to the Board.

Mrs. Conti was sworn in. Mrs. Conti is the daughter of the applicant Steven Raia and will be residing at the property of 30 Alwin Terrace.

Anthony Condouris, Architect with an office located at 20 Bingham Avenue Rumson, NJ was sworn in and was accepted by the Board.

Greg Blash, Borough Engineer was sworn in.

Mr. Rosen stated that the only variance needed is for an undersized lot. The lot requirements are 25,000 square feet where pre-existing is 20, 498. The home on the site was damaged by "Sandy" and will be removed. The current proposed house is 3,689 square feet.

Mr. Condouris explained to the Board that the home being proposed is 3,689 square feet 4 bedroom, 3 bathroom two story dwelling with an attached garage. On the first floor will have a covered porch, family room, den, home office, dining room, kitchen with an eating area and mudroom. They are also proposing a pool

which meets all the requirements. The roof lines were brought down which makes the house look less intrusive from the front and meets all the height requirements.

Greg Blash stated that the home is higher than what the ordinance allows but this was a flooded house and they take the measurements from the finished first floor to the ridge.

Vice-Chairman Scott questioned how tall the house will be?

Mr. Condouris stated 34 feet from finished grade.

Mr. Condouris also noted that there will not be a basement just a crawl space.

Mr. Holzapfel questioned how deep the crawl space will be.

Mr. Condouris stated about 4 feet.

Mr. Chimento questioned if any fill is being proposed around the foundation.

Mr. Blash stated that they allow a little grading around the garage, front yard and front porch area.

Mr. Blash wanted to note that they eliminated the front yard setback and lot coverage from the existing dwelling. The current lot coverage is 38% where they are proposing 35%.

Mayor Neff wanted to confirm that the first floor elevation will be 4ft above grade.

Mr. Condouris stated that was correct.

Mr. Blash also noted that a revision needs to be made on the pool setback which needs to be 15 feet from the pool deck not the pool edge.

Mr. Condouris stated that they will make the revision.

Mr. Holzapfel asked how far the garage will be from the adjoining property.

Mr. Condouris stated it will be 30.7 feet from the adjoining property.

Open to the Public

Gail Abrams, 27 Carriage House Lane was sworn in. Ms. Abrams wanted to be shown some items on the plan and was done by Mr. Condouris.

Mr. Williams, 8 Carriage House Lane was sworn in and expressed his concerns over privacy and with the height of the property being proposed.

Mr. Williams expressed his concerns over impervious coverage and the water table and feels the proposed plan is increasing this problem.

Mr. Blash explained that the proposed dwelling is in fact reducing the coverage. The existing was 38% and the proposed is 35%.

Mr. Perfetto stated that the proposed dwelling is not the same foot print it is smaller than what is currently there.

Mr. Blash explained that the water table is up because of "Sandy". The area was indicated with water flood water for several days and that water table was trapped above the clay layer that exists and it will take years

and years to recede and that is why the water table is up and why Mr. Williams had to add a second sump pump. The water table is just higher today than it was 10 years ago because of that flood.

Vice Chairman Scott stated to Mr. Williams that he will have less of an impact with this new proposal than what is currently present today.

Mr. Williams asked shouldn't they have considered the lot size when considering the size of the house.

Attorney Leckstein stated they did and that is why the Borough has a Floor Area Ratio ordinance. Attorney Leckstein also noted that the original size of the house was 5,717 square feet and they reduced it to 3,689 square feet and removed the Floor Area Ratio.

Vice Chairman Scott explained that the house is sized for the lot.

Mr. Chimento asked about some additional screening along the rear of the property.

Attorney Leckstein stated that they could place a condition requiring arborvitaes and/or Evergreen along the rear of the property.

Kevin Davy 20 Alwin Terrace was sworn in and expressed concerns over surface drainage and asked if the porta-potty be as far away from the south side of his property which is by the bedrooms.

Greg Blash stated that everything is run to the front so there will be very little run off.

Rich Bastian, 34 Alwin Terrace was sworn in and expressed concerns over the demo of the existing structure and pollutes in the area when this is done.

Greg Blash stated that there is a formal process when a dwelling is taken down. They have an environmental check list to follow and regulated by the Health Department.

Mr. Bastian expressed his concerns over run off/drainage.

Greg Blash explained that they are very specific where they put their down spouts. The ones in the front half will be discharged to the street and back portion from the ridge back, those roof leaders will point to the back towards the swales. There will be very little run off.

Charles Sidum, 25 Alwin Terrace was sworn in and asked about an environmental check list to demo a house.

Greg Blash explained that they will check for asbestos and air quality test with the State. It is regulated by the Building Department.

Doug Johnson, 35 Alwin Terrace was sworn in and questioned when they were going thru the building process in 2006 they needed a variance for everything because Alwin Terrace was considered a non-conforming street because of no curbs.

Attorney Leckstein stated he does not remember such a situation.

Mr. Johnson stated he was given a hard time during the variance meeting.

Attorney Leckstein stated he would look up the file.

The file on 35 Alwin Terrace was retrieved by the Secretary.

Closed to the Public:

Open to the Board:

A motion was made by Mrs. Hough and seconded by Mr. Chimento to approve this application as submitted with the following conditions: Pool setback to be revised to show 15 feet setback from pool deck not from pool edge and arborvitaes and/or evergreens to be planted along the rear of the property line.

Affirmative: Mayor Neff, Mr. Scott, Mr. Chimento, Mr. Perfetto, Mrs. Hough, Mrs. Jungfer and Mr. Holzapfel

Negative: None

Abstentions: None

Attorney Leckstein noted that Mr. Bastian at 34 Alwin Terrace file indicated that the previous Zoning Official noted he had a rear yard and side yard setback violations along with dome others and it just wasn't because of a non-conforming street.

The Board had a brief discussion regarding the Floor Area Ratio noting that tonight was a great example that plans can be designed so that there is not a need to have a Floor Area Ratio variance.

Determination of Meetings Schedule for 2016:

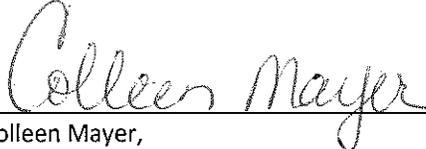
Vice Chairman Scott noted that the proposed 2016 Meetings Schedule had been provided to the Board for review. The Schedule was accepted as provided with all meetings to begin at 7 P.M., no new witness to be taken after 9:30 P.M. and a 10 P.M. curfew.

Motion to adopt the 2016 Meetings Schedule and that same be posted and forwarded to the designated newspapers: Mr. Chimento
Second: Mrs. Jungfer

Roll Call: Voice Vote – Ayes – Unanimous

A copy of the approved Meetings Schedule is attached hereto and made a part hereof.

There being no further business to come before the Board at this time, Mrs. Jungfer Moved to adjourn at 8:05P.M. Seconded by Mrs. Hough and a unanimous voice vote followed.



Colleen Mayer,
Secretary/Administrative Clerk

Dated: January 21, 2016